

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ADRIAN COLEMAN,)	
)	
Plaintiff,)	
)	Civil Action No. 12-205 Erie
v.)	
)	
CARRARRA STEEL ERECTORS, INC.,)	
)	
Defendant.)	

MEMORANDUM ORDER

This action was received by the Clerk of Court on September 4, 2012 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 6], filed on March 26, 2013, recommended that the Motion to Dismiss filed by Defendant [ECF No. 3] be denied. The parties were allowed fourteen (14) days from the date of service to file objections and Defendant filed Objections on April 12, 2013 [ECF No. 7]. After de novo review of the documents in the case, together with the Report and Recommendation, and Objections thereto, the following order is entered:

AND NOW, this 29th day of April, 2013;

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendant [ECF No. 3] is DENIED.

The Report and Recommendation [ECF No. 6] of Magistrate Judge Baxter, filed on March 26, 2013 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge